



**COMMONWEALTH OF MASSACHUSETTS  
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By *ECFS*

October 4, 2012

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

Re: CG Docket No. 03-123, Massachusetts TRS Certification Renewal

Dear Ms. Dortch:

In response to the Public Notice released by the Federal Communications Commission (FCC) on July 25, 2012,<sup>1</sup> the Massachusetts Department of Telecommunications and Cable (MDTC)<sup>2</sup> respectfully submits this fourth application for renewal of the certification of the Massachusetts Telecommunications Relay Service (TRS) program.<sup>3</sup> FCC approval of the MDTC's application would extend Massachusetts' current certification for an additional five years until approximately July 26, 2018.<sup>4</sup>

Pursuant to FCC requirements, a state desiring certification of its TRS program must establish that:<sup>5</sup>

1. The state program meets or exceeds all operational, technical, and functional minimum standards contained in 47 C.F.R. § 64.604;
2. The state program makes available adequate procedures and remedies for enforcing the state program, including that it makes available to TRS users informational

<sup>1</sup> *Consumer and Governmental Affairs Bureau Reminds State Telecommunications Relay Service Programs to Seek Recertification*, CG Docket No. 03-123, Public Notice, DA 12-1187 (rel. Jul. 25, 2012) (*Recertification Public Notice*) (alerting all states that their TRS certifications expire on July 26, 2013, and requesting that states file their certification renewal applications no later than October 1, 2012, to allow for sufficient processing by the FCC).

<sup>2</sup> The MDTC is the exclusive state regulator of telecommunications and cable services within the Commonwealth of Massachusetts. MASS. GEN. LAWS ch. 25C, § 1.

<sup>3</sup> See *Massachusetts TRS Certification Renewal*, CG Docket No. 03-123, Cover Letter (dated Nov. 15, 2007) (discussing the MDTC's previous state TRS program applications).

<sup>4</sup> *Recertification Public Notice* at 1; 47 C.F.R. § 64.606(c)(1).

<sup>5</sup> See 47 C.F.R. 64.606(b)(1).

materials on complaint procedures sufficient for users to know the proper procedures for filing complaints; and

3. Where a state program exceeds the mandatory minimum standards contained in § 64.604, the state establishes that its program in no way conflicts with federal law.

State law delegates general oversight of the Massachusetts TRS program to the MDTC.<sup>6</sup> This oversight includes enforcement of any federal minimum standards.<sup>7</sup> The MDTC submits that:

1. The Massachusetts TRS program meets or exceeds all federal operational, technical, and functions minimum standards contained in § 64.604;
2. The Massachusetts TRS program makes available adequate procedures and remedies for enforcing the requirements of the state program; and
3. Where the requirements of the Massachusetts TRS program exceed the mandatory minimum federal standards contained in § 64.604, these requirements in no way conflict with federal law.

The attached narrative and accompanying documentation explain in detail how the Massachusetts TRS program complies with these requirements.<sup>8</sup>

In conclusion, the MDTC attests that the Massachusetts TRS program meets the federal requirements and respectfully requests renewal of its certification. If you have any questions or require additional information, please contact me directly at [Kerri.DeYoung@state.ma.us](mailto:Kerri.DeYoung@state.ma.us) or (617) 305-3580, as well as Catrice Williams, MDTC Secretary, at [Catrice.Williams@state.ma.us](mailto:Catrice.Williams@state.ma.us) or (617) 305-3580.

Respectfully submitted,

/s/ Kerri DeYoung Phillips  
Kerri DeYoung Phillips, Counsel  
Competition Division

cc: Geoffrey G. Why, Commissioner, MDTC  
Karlen Reed, Director, Competition Division, MDTC  
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Monna Wallace, Programs Director, State 911 Department  
Louise McCarthy, Administrative Attorney, State 911 Department  
Dixie Ziegler, Vice President of Relay, Hamilton Relay

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<sup>6</sup> MASS. GEN. LAWS ch. 166, § 15E(f) (establishing that the MDTC “in accordance with its certification by the FCC .... shall have general oversight over all aspects of the provision of the [specialized, customer-premises equipment] SCPE and TRS programs .... Such oversight shall include, but shall not be limited to, authority over the rates, terms, and conditions, service quality, and enforcement of federal minimum standards for the provision of such services”).

<sup>7</sup> *Id.*

<sup>8</sup> See *Recertification Public Notice* at 2, citing 47 C.F.R. § 64.606(a) (noting that certification documentation must be submitted in narrative form).